

in the District Court of the United States for said district a libel praying the seizure and condemnation of 31 dozen bottles of vanilla extract, remaining in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped by the Fulton Mfg. Co., from New York, N. Y., May 21, 1925, and transported from the State of New York into the State of Michigan, and charging adulteration and misbranding in violation of the food and drugs act as amended. The article was labeled in part: (Carton and bottle) "Fulton Brand Pure Extract Vanilla Purity And Quality Fulton Manufacturing Co. New York Contents 6 Drams."

Adulteration of the article was alleged in the libel for the reason that a substance, a colored substandard vanilla extract, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article, and for the further reason that it had been colored in a manner whereby damage or inferiority was concealed.

Misbranding was alleged for the reason that the statements "Pure Vanilla Extract Contents 6 Drams Purity And Quality," borne on the labels, were false and misleading and deceived and misled the purchaser, for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, and for the further reason that it was offered for sale under the distinctive name of another article.

On August 5, 1925, a decree of condemnation and forfeiture was entered, and the product was ordered destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14108. Misbranding of Angelus beef, iron & wine. U. S. v. 8 Dozen Bottles of Angelus Beef, Iron & Wine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17119. I. S. No. 7971-v. S. No. W-1277.)

On January 13, 1923, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 8 dozen bottles of Angelus beef, iron & wine, at Phoenix, Ariz., alleging that the article had been shipped by the Brunswig Drug Co., Los Angeles, Calif., in part on or about November 23, 1920, and in part on or about February 2, 1922, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part on the carton: "Useful In * * * Dyspepsia, Nervous Exhaustion * * * Consumption And All Wasting Diseases And Forms Of General Debility," and on the bottles as hereinafter set forth.

Analysis by the Bureau of Chemistry of this department of a sample of the article showed that it was composed of meat extract, iron salts, potassium bitartrate, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the following statements borne on the bottle label, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "Useful In * * * Dyspepsia, Nervous Prostration, Consumption, and All Wasting Diseases and Forms of General Debility."

On May 22, 1925, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

14109. Misbranding of Glycero-Celery tonic. U. S. v. 3 Dozen Bottles of Glycero-Celery Tonic. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 17119. I. S. No. 7973-v. S. No. W-1278.)

On January 13, 1923, the United States attorney for the District of Arizona, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 dozen bottles of Glycero-Celery tonic, at Phoenix, Ariz., alleging that the article had been shipped by the Brunswig Drug Co., Los Angeles, Calif., in various consignments, namely, on or about August 24, 1920, and April 28 and June 28, 1921, respectively, and transported from the State of California into the State of Arizona, and charging misbranding in violation of the food and